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8 *Attorney for Defendant, Jan Rouven Fuechtener*

6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 JAN ROUVEN FUECHTENER,

12 Defendant.

CASE NO.: 2:16-CR-100-GMN-CWH

**STIPULATION TO CONTINUE  
SENTENCING HEARING**

13 IT IS HEREBY STIPULATED AND AGREED, by and between Elham Roohani and Lisa  
14 C. Cartier-Giroux, Assistant United States Attorneys, counsel for the United States of America, and  
15 Karen A. Connolly, counsel for Defendant JAN ROUVEN FUECHTENER, that the sentencing  
16 hearing currently scheduled for December 29, 2017, at the hour of 9:00a.m., be vacated and  
17 continued for approximately 45 days after a decision on Defendant's Motion to Withdraw Guilty  
18 Plea has been rendered.

19 This Stipulation is entered into for the following reasons:

- 20 1. The parties agree to the continuance for the following reasons: That a hearing  
21 regarding Defendant's Motion to Withdraw Guilty Plea is set for December 29, 2017.  
22 Therefore, the parties are seeking to continue Sentencing for 45 days.
- 23 2. The additional time requested herein is not sought for purposes of delay.
- 24 3. Additionally, denial of this request for continuance could result in a miscarriage of  
25 justice.

26 ///

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4. This is the fifth request to continue the sentencing date.

DATED this 22<sup>nd</sup> day of December, 2017.

KAREN A. CONNOLLY, LTD.

STEVEN W. MYHRE  
United States of America

/s/ Karen A. Connolly  
KAREN A. CONNOLLY  
Counsel for Jan Rouven Fuechtener

/s/ Elham Roohani  
ELHAM ROOHANI  
LISA C. CARTIER-GIROUX  
Assistant United States Attorneys  
Counsel for Plaintiff

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

6 JAN ROUVEN FUECHTENER,

7 Defendant.

CASE NO.: 2:16-cr-100-GMN-CWH

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER**

8 **FINDINGS OF FACT**

9 Based on the Stipulation of counsel, and good cause appearing therefore, the Court finds that:

10 1. The parties agree to the continuance for the following reasons: There has not yet  
11 been a decision regarding Defendant's Motion to Withdraw Guilty Plea. Once a decision has  
12 been rendered by the court, the parties are requesting 45 days for Sentencing.

13 2. The additional time requested herein is not sought for purposes of delay.

14 3. Additionally, denial of this request for continuance could result in a miscarriage of  
15 justice.

16 4. This is the sixth request to continue the sentencing date.

17 For all of the above-stated reasons, the ends of justice would best be served by a continuance  
18 of the sentencing.

19 **CONCLUSIONS OF LAW**

20 The ends of justice served by granting said continuance outweigh the best interest of the  
21 public and the defendant in a speedy trial, since the failure to grant said continuance would be  
22 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the  
23 opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking  
24 into account the exercise of due diligence.

25 The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States  
26 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section  
27 3161(h)(7)(B)(i), (iv).

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Stip to Continue Sentencing (6th).wpd

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**ORDER**

IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled for December 29, 2017, at the hour of 9:00 a.m., be vacated and set continued to \_\_\_\_\_ at the hour of \_\_\_\_\_.m.

DATED this \_\_\_\_\_ day of December 2017.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE